

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**DANIEL BRYAN KELLY,**

**Plaintiff,**

**V.**

RICKY OWENS, et al.,

## Defendants.

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**) CIVIL ACTION NO. 2:05-cv-1150-MHT-TFM**

## **DEFENDANTS' JOINT THIRD MOTION IN LIMINE**

COME NOW the Defendants and submit this Joint Motion in Limine to exclude any mention or interrogation of the following matters:

1. Newspaper articles from any newspaper regarding the Plaintiff's allegations against the Defendants– Following the Plaintiff's allegations, there was at least one newspaper article printed regarding same. This article or any other newspaper article is irrelevant and would be hearsay.
2. Any complaint that the Plaintiff may have regarding any incarceration at the Coosa County Jail after January 16, 2004. – The Plaintiff's Complaint and First Amended Complaint seeks damages for allegations for incidents that occurred during his incarceration from November 13, 2003, to January 16, 2004. The Plaintiff was later incarcerated at the Coosa County Jail but has not filed any complaint for anything that he may allege happened to him after his release from the jail on January 16, 2004. Any mention of any misconduct by any of these Defendants or any other employee of the Coosa County Jail would be irrelevant and highly prejudicial to the Defendants.

3. That the Plaintiff suffers from Post-Traumatic Stress Disorder – The Plaintiff has alleged that as a result of the things that happened to him during his incarceration that he now suffers from Post-Traumatic Stress Disorder. There has been no medical testimony that the Plaintiff has Post-Traumatic Stress Disorder or that anything that allegedly occurred to him during his incarceration caused or contributed to his developing this disorder. Any mention by the Plaintiff, any witness testifying on behalf of the Plaintiff, or the introduction of any exhibit that mentions that the Plaintiff now suffers from post-traumatic stress disorder would be prejudicial to the Defendants.

WHEREFORE, ABOVE PREMISES CONSIDERED, the Defendants request that this Motion be granted and sustained by appropriate Order of this Honorable Court.

Respectfully submitted this the 23rd day of January, 2008.

**s/Gary L. Willford, Jr.**

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**CERTIFICATE OF SERVICE**

I hereby certify that on this the 23rd day of January, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: **Richard J. Stockham, III.**

**s/Gary L. Willford, Jr.**  
OF COUNSEL